

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 17-00844 AG (DFMx)	Date	May 19, 2017
Title	NEW METHOD WELLNESS, INC. v. CIGNA HEALTHCARE OF CALIFORNIA INC. ET AL.		

Present: The Honorable	ANDREW J. GUILFORD	
Lisa Bredahl	Not Present	
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:

Proceedings: **[IN CHAMBERS] ORDER TO SHOW CAUSE CONCERNING SUBJECT MATTER JURISDICTION AND ORDER SETTING HEARING**

Plaintiff New Method Wellness, Inc. sued Defendants Cigna HealthCare of California, Inc. and Cigna Behavioral Health of California, Inc. for seven state law causes of action. Defendants removed the complaint, seeking to invoke this Court's federal question jurisdiction.

Defendants argue that the Employee Retirement and Income Security Act of 1974 ("ERISA") completely preempts at least some, if not all, of Plaintiffs' state law causes of action, as the health insurance policy at issue is governed by ERISA. Yet, according to the complaint, this case doesn't include any claims governed by ERISA. (Compl., Dkt. No. 1-1 ¶ 9.) But according to Defendants, that's incorrect.

The Court is concerned that it lacks jurisdiction over these state law causes of action. And the Court must jealously guard its jurisdiction. *Olmos v. Residential Credit Sols., Inc.*, 92 F. Supp. 3d 954, 955 (C.D. Cal. 2015). Accordingly, Defendants are ORDERED TO SHOW CAUSE as to why this case should not be remanded for lack of subject matter jurisdiction. Defendants must file a brief not exceeding 12 pages discussing why this Court has

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jurisdiction over this case by May 26, 2017. Plaintiff may, but need not, respond in a brief also not exceeding 12 pages by June 2, 2017.

The Court will then have a hearing on this issue on **June 12, 2017 at 9:00 a.m.** Defendants are ORDERED to appear at the hearing. Plaintiff may, but need not, also appear.

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Initials of Preparer lmb
